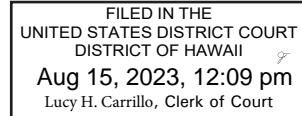


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UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

In Re:)	MISC. NO. 23-00529 LEK-RT
)	
\$468,800.00 IN U.S. CURRENCY)	UNITED STATES <i>EX PARTE</i>
SEIZED, ON OR ABOUT MARCH)	MOTION TO EXTEND TIME TO
29, 2023, FROM SAFE DEPOSIT)	FILE COMPLAINT FOR
BOXES AT BANK OF HAWAII,)	FORFEITURE
WAIANAE BRANCH; AND)	
)	
\$122,763.00 IN U.S. CURRENCY)	
SEIZED, ON OR ABOUT MARCH)	
29, 2023, FROM A RESIDENCE ON)	
MOEKOLU STREET IN WAIANAE,)	
HAWAII.)	
)	

UNITED STATES' *EX PARTE* MOTION TO EXTEND
TIME TO FILE COMPLAINT FOR FORFEITURE

Pursuant to 18 U.S.C. § 983(a)(3)(A), the United States of America moves the Court for good cause for a 60-day extension of the time within which the United States is required to file a civil forfeiture complaint and/or obtain an indictment alleging forfeiture regarding the above-captioned \$468,800.00 in U.S. currency seized, on or about March 29, 2023, from safe deposit boxes 81-0 and 508-4 at a Bank of Hawaii in Waianae, Hawaii and \$122,763.00 in U.S. currency seized, on or about March 29, 2023, from a residence on Moekolu Street in Waianae, Hawaii (collectively, the “Subject Property”), from September 1, 2023 up to and including October 31, 2023.

The United States represents to the Court as follows:

1. The Subject Property was seized by the Department of Homeland Security on or about March 29, 2023, pursuant to federal search and seizure warrants.
2. The U.S. Customs and Border Protection initiated forfeiture proceedings against the Subject Property, pursuant to 18 U.S.C. § 983 and the required forfeiture notices were sent to all known interested parties, including Lavern Joseph, William Caspino, and Darcel Caspino-Kepoo.
3. Joseph and Caspino-Kepoo filed a timely claim to the \$468,800.00 seized from the safe deposit boxes. Caspino filed a timely claim to the \$122,763.00 seized from the residence on Moekolu Street.

4. No other claims have been filed or received, and the time has expired for any person to file a claim to the Subject Property under 18 U.S.C.

§ 983(a)(2)(A)-(E).

MEMORANDUM

Pursuant to 18 U.S.C. § 983(a)(3)(A):

(A) Not later than 90 days after a claim has been filed, the Government shall file a complaint for forfeiture in the manner set forth in the Supplemental Rules for Certain Admiralty and Maritime Claims or return the property pending the filing of a complaint, except that a court in the district in which the complaint will be filed may extend the period for filing a complaint for good cause shown or upon agreement of the parties.

(emphasis added).

The United States currently is required to file a civil forfeiture complaint against the Subject Property on or before September 1, 2023. If it fails to do so and also has not included the Subject Property in the forfeiture notice of a criminal indictment, it is required to release the property (unless it is being held for some reason other than the forfeiture) and may not take any further action to effect the civil forfeiture of the property. *See* 18 U.S.C. § 983(a)(3)(B)-(C).

The United States asserts that there is good cause to extend the September 1, 2023 deadline by 60 days – until October 31, 2023. The United States has an ongoing criminal investigation regarding claimants Lavern Joseph, her son, William Caspino, as well as various other members of the Caspino/Joseph family

relating to drug trafficking, illegal gambling, and money laundering. The United States expects that it will obtain an indictment against Joseph, Caspino and others within the next 60 days, and that the indictment would include a forfeiture notice that includes the Subject Property.

The United States requests this extension of the statutory deadline for filing a civil forfeiture complaint because the filing of a civil forfeiture complaint against the Subject Property prior to the indictment would jeopardize an ongoing investigation, cause potential destruction of evidence, and/or cause suspects to flee. Further, an extension would prevent the unnecessary expenditure of public resources and funds, by alleviating the need for the United States to file a civil forfeiture action (under seal), when it anticipates that the forfeiture will be handled through the forthcoming criminal action.

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For the foregoing good cause, the United States respectfully requests that the Court extend the period in which the United States is required to file a complaint against the property and/or to obtain an indictment alleging that the property is subject to forfeiture until October 31, 2023.

The United States will electronically submit a proposed Order.

DATED: August 15, 2023, at Honolulu, Hawaii.

CLARE E. CONNORS
United States Attorney
District of Hawaii

By /s/ Sydney Spector
SYDNEY SPECTOR
Assistant U.S. Attorney

Attorneys for Plaintiff
UNITED STATES OF AMERICA